

**CITY COUNCIL MEETING  
CITY OF WATERTOWN  
July 5, 2016  
7:00 p.m.**

**Mayor Joseph M. Butler, Jr. Presiding**

**Present:**                **Council Member Cody J. Horbacz  
Council Member Stephen A. Jennings  
Council Member Teresa R. Macaluso  
Council Member Mark C. Walczyk  
Mayor Joseph M. Butler, Jr.**

**Also Present:**        **Sharon Addison, City Manager  
Robert J. Slye, City Attorney**

**City staff present:** Matthew Roy, James Mills, Justin Wood, Fire Chief Herman, Police Chief Donoghue, Michael Lumbis, Scott Weller, Geoffrey Urda

The City Manager presented the following reports to Council:

- Resolution No. 1 - Establishing Standard Work Day and Reporting For Mayor Joseph M. Butler, Jr.
- Resolution No. 2 - Establishing Standard Work Day and Reporting For Council Member Cody J. Horbacz
- Resolution No. 3 - Establishing Standard Work Day and Reporting For Council Member Mark C. Walczyk
- Resolution No. 4 - Appointing Michael A. Lumbis, Planning and Community Development Director, to the Board of Directors of the Watertown Local Development Corporation
- Resolution No. 5 - Amendment No. 107 to the Management and Management Confidential Pay Plan
- Resolution No. 6 - Approving Acceptance of the NYS Division of Criminal Justice Services Livescan Equipment Grant
- Resolution No. 7 - Accepting Bid for Dry Polymer; Slack Chemical Company, Inc.
- Resolution No. 8 - Rejecting all Bids for Ready-Mix Concrete
- Resolution No. 9 - Finding That Replacing the Playground Equipment in John C. Thompson Park Will Not Have a Significant Negative Impact on the Environment
- Resolution No. 10 - Approving Agreement for Public Benefit Services Between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc.
- Resolution No. 11 - Approving Agreement Between the City of Watertown and the Thompson Park Conservancy
- Resolution No. 12 - Approving Professional Services Agreement Between the City of Watertown and Public Sector HR Consultants, LLC
- Resolution No. 13 - Finding That Changing the Approved Zoning Classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial Will Not Have a Significant Impact on the Environment
- Ordinance No. 1 - An Ordinance Amending the Ordinance Dated September 6, 2011, as Amended November 21, 2011, January 21, 2013, July 1, 2013, March 3, 2014, October 6, 2014 and May 18, 2015, Authorizing the Issuance of \$12,900,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Design and Construction Costs of the Factory Street

Reconstruction, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$13,500,000

- Public Hearing Ordinance - Changing the Approved Zoning Classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial
- Tabled Resolution - Accepting Change Order No. 4 for Factory Street Reconstruction Project, CCI Companies, Inc.
- Restore NY Grant
- Tax Sale Certificate Assignment Request
- Tax Sale Properties

**Complete Reports on file in the office of the City Clerk**

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of June 20, 2016, was dispensed and accepted as written by motion of Council Member Jennings, seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.

### **COMMUNICATIONS**

Petitions were received from Patricia Whalen, 231 Franklin Street, to show support in order to secure funding needed to combat the bedbug problem within the City.

**Above communication was placed on file in the office of the City Clerk.**

A claim was received from Timothy Thomas, seeking reimbursement for injuries caused by a fall on the sidewalk in front of 105 Washington Street on February 15, 2015.

A claim was received from Tiffany M. Mullis, as a result of a search done by the Watertown Police Department on March 24, 2016.

**Above claims have been referred to the Board of Audit.**

### **PRIVILEGE OF THE FLOOR**

**Patricia Whalen**, 231 Franklin Street, addressed the chair concerning a disclosure law for landlords. She stated a gentleman just moved into her building and purchased new bedding without being told there was a problem with bedbugs. She stressed that he should have been informed prior to moving into the building. Mentioning that New York City has a disclosure law, she requested Council to pass the same legislation in the City of Watertown.

### **PUBLIC HEARING**

**At 7:30 p.m. Mayor Butler asked the City Clerk to read the notice of Public Hearing concerning changing the Approved Zoning Classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial**

**Mayor Butler declared the hearing open at 7:30 p.m.**

**Bryan J. Donegan**, P.O. Box 669, Alexandria Bay, addressed the chair stating he represents I-Site Realty, LLC, which owns the property behind Taco Bell and Walgreens. He explained that he has an individual interested in purchasing the property to develop it into an approximately 5,000 square foot general practice office. He respectfully requested Council to grant this zone change.

**Mayor Butler declared the hearing closed at 7:32 p.m.**

### **RESOLUTIONS**

**Resolution No. 1 - Establishing Standard Work Day and Reporting For Mayor Joseph M. Butler, Jr.**

**Introduced by Council Member Stephen A. Jennings**

BE IT RESOLVED, that the City of Watertown hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body.

		<b>Elected Officials</b>		<b>Employer Record of Time Worked (Y/N)</b>	<b>Days/Month (based on Record of Activities)</b>
<b>Title</b>	<b>Name</b>	<b>Standard Work Day (Hrs/day)</b>	<b>Term Begins/Ends</b>		
Mayor Joseph M. Butler, Jr.		6 hours	01/01/16-12/31/19	N	13.22 days

On this 5<sup>th</sup> day of July 2016,

\_\_\_\_\_  
(Signature of Clerk)

Date enacted \_\_\_\_\_

I, Ann M. Saunders, Clerk of the governing board of the City of Watertown, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5<sup>th</sup> day of July 2016 on file as part of the minutes of such meeting, and the same is a true copy thereof and whole of such original.

I further certify that the full board consists of 5 members and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Watertown.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 2 - Establishing Standard Work Day and Reporting For Council Member Cody J. Horbacz**

**Introduced by Council Member Stephen A. Jennings**

BE IT RESOLVED, that the City of Watertown hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body.

Elected Officials				Employer Record of Time Worked (Y/N)	Days/Month (based on Record of Activities)
Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends		
Council Member	Cody J. Horbacz	6 hours	01/01/16-12/31/19	N	9.48 days

On this 5<sup>th</sup> day of July 2016,

\_\_\_\_\_  
(Signature of Clerk)

Date enacted \_\_\_\_\_

I, Ann M. Saunders, Clerk of the governing board of the City of Watertown, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5<sup>th</sup> day of July 2016 on file as part of the minutes of such meeting, and the same is a true copy thereof and whole of such original.

I further certify that the full board consists of 5 members and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Watertown.

**Seconded by Council Member Cody J. Horbacz and carried with all voting yea.**

**Resolution No. 3 - Establishing Standard Work Day and Reporting For Council Member Mark C. Walczyk**

**Introduced by Council Member Stephen A. Jennings**

BE IT RESOLVED, that the City of Watertown hereby establishes the following as standard work days for elected and appointed officials and will report the following days worked to the New York State and Local Employees' Retirement System based on the record of activities maintained and submitted by these officials to the Clerk of this body.

Elected Officials				Employer Record of Time Worked (Y/N)	Days/Month (based on Record of Activities)
Title	Name	Standard Work Day (Hrs/day)	Term Begins/Ends		

Council Member Mark C. Walczyk

6 hours

01/01/16-12/31/19

N

3.47 days

On this 5<sup>th</sup> day of July 2016,

Date enacted \_\_\_\_\_

\_\_\_\_\_  
(Signature of Clerk)

I, Ann M. Saunders, Clerk of the governing board of the City of Watertown, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 5<sup>th</sup> day of July 2016 on file as part of the minutes of such meeting, and the same is a true copy thereof and whole of such original.

I further certify that the full board consists of 5 members and that 5 of such members were present at such meeting and that 5 of such members voted in favor of the above resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Watertown.

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 4 - Appointing Michael A. Lumbis, Planning and Community Development Director, to the Board of Directors of the Watertown Local Development Corporation**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS Article III of the Watertown Local Development Corporation's (WLDC) Bylaws defines the membership of the WLDC's Board of Directors, and

WHEREAS the membership includes a person appointed by the City Council, and

WHEREAS Kenneth A. Mix, the former Planning and Community Development Coordinator, previously served as one of the City's representatives on the Board, and

WHEREAS Mr. Mix has retired and Michael A. Lumbis has been appointed as the City's Planning and Community Development Director,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby appoints Planning and Community Development Director Michael A. Lumbis as the City's representative on the Watertown Local Development Corporation Board of Directors.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Mayor Butler thanked Mr. Lumbis for his dedication and willingness to serve on this board.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 5 - Amendment No. 107 to the Management and Management Confidential Pay Plan**

**Introduced by Council Member Stephen A. Jennings**

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves Amendment No. 107 to the Management and Management Confidential Pay Plan, for the position listed below, as follows:

<u>Position</u>	<u>Salary</u>
Senior Planner	\$58,016

**Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.**

**Resolution No. 6 - Approving Acceptance of the NYS Division of Criminal Justice Services Livescan Equipment Grant**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City of Watertown applied for state funding under the NYS Division of Criminal Justice Services for the Livescan Equipment Program, and

WHEREAS the City has been notified that the grant funding opportunity that is being provided by the NYS Division of Criminal Justice Services for Livescan Equipment has been approved,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves acceptance of the NYS Division of Criminal Justice Services for the Livescan Equipment Program in the amount of \$10,000, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to sign all documents related to this grant on behalf of the City of Watertown.

**Seconded by Council Member Stephen A. Jennings**

Prior to the vote on the foregoing resolution, Mayor Butler thanked Captain Labarge for his work on obtaining this grant. He said that the City had used the County's equipment in the past when the City's equipment was not working so he thanked the County for this.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 7 - Accepting Bid for Dry Polymer; Slack Chemical Company, Inc.**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Dry Polymer for use at the City's Pollution Control Plant, for the City's 2016-2017 and 2017-2018 fiscal years' requirements, and

WHEREAS invitations to bid were issued to twenty-eight (28) bidders, with a total of two (2) sealed bids submitted to the City Purchasing Department, and

WHEREAS on Thursday, May 12, 2016 at 11:00 am in the City's Purchasing Department, the bid was publically opened and read, and

WHEREAS City Purchasing Manager Amy M. Pastuf reviewed the bid with Chief Operator Mark Crandall, and it is their recommendation that the City Council accept the bid from Slack Chemical Company, Inc, as detailed below:

		Type	Slack Chemical Company, Inc.			
Chemical	Est. Annual Usage - Lbs.		Option 1		Option 2	
			One Year		Two Years	
			2016-2017		2017-2018	
			Per Unit Price	Ext. Price	Per Unit Price	Ext. Price
Dry Polymer	52,000	<b>Sta Flocc 6639</b>	<b>\$1.67</b>	<b>\$86,840</b>	<b>\$1.74</b>	<b>\$180,960</b>
Dry Polymer	52,000	<b>Sta Flocc 6532</b>	<b>\$1.53</b>	<b>\$79,560</b>	<b>No Bid</b>	<b>No Bid</b>

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby accepts the bid submitted by Slack Chemical Company, Inc., for the two-year bid as detailed above, being the only qualifying bidder meeting City specifications, for the purchase of Dry Polymer for use at the City's Pollution Control Plant.

**Seconded by Council Member Stephen A. Jennings**

Prior to the vote on the foregoing resolution, Ms. Addison confirmed for Mayor Butler that this was a two year contract.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 8 - Rejecting all Bids for Ready-Mix Concrete**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City Purchasing Department has advertised and received sealed bids for the purchase of Ready-Mix Concrete products for use by various City Departments during Fiscal Year 2016-2017, and

WHEREAS invitations to bid were issued to four (4) prospective bidders with three (3) bids received and publicly opened and read in the City Purchasing Department on Thursday, June 9, 2016, at 11:00 a.m., and

WHEREAS City Purchasing Manager Amy Pastuf reviewed the bids received, and it is her recommendation that the City Council reject all bids,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown rejects the bids received for the purchase of Ready-Mix Concrete products for use by various City Departments in order to allow a re-bid with revised specifications.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Mayor Butler mentioned the report states the low bid was from Cranesville Block Company but their minimum delivery amount is six cubic yards, which is more than the City needs. Stating this concrete is used by the sidewalk crew and DPW, he asked if only two to three cubic yards is needed.

Ms. Addison stated this amount is needed per project. She indicated that she was advised by Eugene Hayes, Superintendent of Public Works, that the minimum delivery amount was more than what is needed at one time.

Council Member Macaluso asked if rejecting this bid would delay projects.

Ms. Addison said it would not.

Justin Wood, City Engineer, explained the timeline in which the concrete is delivered and placed once the water is added to it and said it could be problematic. He indicated that with small projects, such as a handicap ramp, there might not be a need for six cubic yards of concrete. He also noted that in past years there was not a specified minimum in the bid spec so it was not an issue. He further explained that due to the incomplete bids, the bid went to a vendor which has the six cubic yard minimum and this would be a waste of concrete. He stressed it is not practical to have a six cubic yard minimum and added that this vendor is not willing to adjust the minimum. In response to this delaying any projects, he stated the City is currently using Champion under last year's bid for concrete so there should be no delay.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 9 - Finding That Replacing the Playground Equipment in John C. Thompson Park Will Not Have a Significant Negative Impact on the Environment**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City Council of the City of Watertown, New York, is considering replacing the playground equipment in John C. Thompson Park, and

WHEREAS the City Council must evaluate all proposed actions in light of the State Environmental Quality Review Act (SEQRA) and the regulations promulgated pursuant thereto, and

WHEREAS the proposed project will constitute such an action, and

WHEREAS the City Council has determined that the proposed project is an "Unlisted Action" as that term is defined in 6NYCRR Section 617.2, and



WHEREAS to aid the City Council in its determination as to whether the proposed project will have a significant effect on the environment, Part 1 of a Short Environmental Assessment has been prepared by Staff, a copy of which is attached and made part of this resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Environmental Assessment Form, in comparison with the proposed action with the criteria set forth in 6NYCRR Section 617.7, no significant impact on the environment is known and the approval of the proposed project will not have a significant negative impact on the environment.
2. The Mayor and the City of Watertown is authorized to execute the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This Resolution shall take effect immediately.

**Seconded by Council Member Stephen A. Jennings**

Prior to the vote on the foregoing resolution, Council reviewed the short environmental assessment form.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 10 - Approving Agreement for Public Benefit Services Between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc.**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the Community Action Planning Council of Jefferson County (CAPC) was incorporated and designated in 1967 as the official anti-poverty agency for Jefferson County, and

WHEREAS since that time, CAPC has received funds from local governments as the local share required to leverage State and Federal program service dollars, and

WHEREAS the services provided by the CAPC promotes a public purpose, and

WHEREAS the services promote the education, charity, health, safety and welfare of the citizens of the City of Watertown,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement for Public Benefit Services between the City of Watertown and the Community Action Planning Council of Jefferson County, Inc., a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

**Seconded by Council Member Cody J. Horbacz**

Prior to the vote on the foregoing resolution, Council Member Horbacz said that he was happy to see that funding was put back in place for this organization.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

**Resolution No. 11 - Approving Agreement Between the City of Watertown and the Thompson Park Conservancy**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the Lessor, City of Watertown, owns the facility known as Thompson Park, located in the City of Watertown, County of Jefferson, State of New York, and

WHEREAS the Lessor has entered into an Agreement with the Tenant, Thompson Park Conservancy, Inc., to lease certain premises located at the Park for the operation of the “Thompson Park Zoo” by Lease dated December 1997, and

WHEREAS since that time, the City of Watertown has provided both financial and in-kind services in support of the Thompson Park Conservancy, and

WHEREAS the City Council has determined that it is in the best interest of the taxpayers of the City of Watertown to provide direct support to the Thompson Park Conservancy to be used to improve the leased premises as detailed in the attached Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Agreement between the City of Watertown and the Thompson Park Conservancy, a copy of which is attached and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute this Agreement on behalf of the City of Watertown.

**Seconded by Council Member Stephen A. Jennings and carried with all voting yea.**

**Resolution No. 12 - Approving Professional Services Agreement Between the City of Watertown and Public Sector HR Consultants, LLC**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS the City of Watertown seeks assistance in handling human resource/ personnel issues, and

WHEREAS the City Manager and staff have utilized the services of Public Sector HR Consultants, LLC since January 1, 2014,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that it hereby approves the Professional Services Agreement between Public Sector HR Consultants, LLC and the City of Watertown, a copy of which is attached hereto and made a part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute said Agreement on behalf of the City of Watertown.

**Seconded by Council Member Stephen A. Jennings**

Prior to the vote on the foregoing resolution, Mayor Butler asked if this contract should be for a shorter term because there is an HR Manager now.

Matthew Roy, HR Manager, said he would prefer the six month contract because it will give him time to start looking ahead. He explained it has taken all his time since he started with the City to bring the City up to where it needs to be, so now he needs to look into the future to try to build the HR Department to meet the future needs of the City. He confirmed for Mayor Butler that the contract could be terminated with 30 days' notice.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yeas.**

**Resolution No. 13 - Finding That Changing the Approved Zoning Classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial Will Not Have a Significant Impact on the Environment**

**Introduced by Council Member Stephen A. Jennings**

WHEREAS the City Council of the City of Watertown, New York, has before it an Ordinance for the zone change application of Bryan J. Donegan of I-Site Realty, to change the approved zoning classification of the east section of VL Bellew Avenue South, Parcel Number 9-11-133.110 from Neighborhood Business to Commercial, and

WHEREAS the City Council must evaluate all proposed actions submitted for its consideration in light of the State Environmental Review Act (SEQRA), and the regulations promulgated pursuant thereto, and

WHEREAS the approval of the zone change would constitute such an "Action," and

WHEREAS the City Council has determined that changing the zoning classification of this property is an Unlisted Action as that term is defined by 6NYCRR Section 617.2, and

WHEREAS there are no other involved agencies for SEQRA review as that term is defined in 6NYCRR Section 617.2, and

WHEREAS to aid the City Council in its determination as to whether the proposed zone change will have a significant impact on the environment, Part I of a Short Environmental Assessment Form has been prepared by the applicant, a copy of which is attached and made part of this Resolution,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Watertown, New York, that:

1. Based upon its examination of the Short Environmental Assessment Form and comparing the proposed action with the criteria set forth in 6NYCRR Section 617.7,

no significant impact is known and the adoption of the zone change will not have a significant impact on the environment.

2. The Mayor of the City of Watertown is authorized to execute the Environmental Assessment Form to the effect that the City Council is issuing a Negative Declaration under SEQRA.
3. This Resolution shall take effect immediately.

**Seconded by Council Member Teresa R. Macaluso**

Prior to the vote on the foregoing resolution, Council reviewed the short environmental assessment form.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yeas.**

## **ORDINANCES**

**Ordinance No. 1 - An Ordinance Amending the Ordinance Dated September 6, 2011, as Amended November 21, 2011, January 21, 2013, July 1, 2013, March 3, 2014, October 6, 2014 and May 18, 2015, Authorizing the Issuance of \$12,900,000 Bonds of the City of Watertown, Jefferson County, New York, to Pay the Design and Construction Costs of the Factory Street Reconstruction, to Increase the Estimated Maximum Cost Thereof and the Amount of Bonds Authorized to \$13,500,000**

**Introduced by Council Member Teresa R. Macaluso**

WHEREAS, by ordinance dated September 6, 2011, as amended November 21, 2011, January 21, 2013, July 1, 2013 March 3, 2014, October 6, 2014 and May 18, 2015, the Council of the City of Watertown, Jefferson County, New York, authorized the issuance of \$12,900,000 bonds of said City to pay the design and construction costs of the Factory Street reconstruction, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class of objects or purposes, at an estimated maximum cost of \$12,900,000, in and for the City of Watertown, Jefferson County, New York; and

WHEREAS, the Council now wishes increase the estimated maximum cost of the aforesaid class of objects or purposes from \$12,900,000 to \$13,500,000, an increase of \$600,000 over that previously authorized, and to authorize the issuance of bonds sufficient to pay said estimated maximum cost;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Watertown, Jefferson County, New York, as follows:

Section A. The title and Sections 1 and 2 of the ordinance of this Council dated and duly adopted September 6, 2011, as amended November 21, 2011, January 21, 2013, July 1, 2013, March 3, 2014, October 6, 2014 and May 18, 2015, authorizing the issuance of \$12,900,000 bonds to pay design and construction costs of the Factory Street reconstruction, in and for the City of Watertown, Jefferson County, New York, including incidental expenses in connection therewith, a class of objects or

purposes, at an estimated maximum cost of \$12,900,000, in and for the City of Watertown, Jefferson County, New York, are hereby amended, in part, to read as follows:

“AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$13,500,000 BONDS OF THE CITY OF WATERTOWN, JEFFERSON COUNTY, NEW YORK, TO PAY THE COSTS OF THE FACTORY STREET RECONSTRUCTION, IN AND FOR SAID CITY.”

....

“Section 1. For the class of objects or purposes of paying the design and construction costs of the Factory Street reconstruction, in and for the City of Watertown, Jefferson County, New York, including related utility improvements or replacements and design and incidental expenses in connection therewith, there are hereby authorized to be issued \$13,500,000 bonds of said City pursuant to the provisions of the Local Finance Law.

“Section 2. It is hereby determined that the estimated maximum cost of the aforesaid class of objects or purposes is \$13,500,000 and that the plan for the financing thereof is by the issuance of the \$13,500,000 bonds of said City authorized to be issued pursuant to this bond ordinance; provided, however, that the amount of bonds ultimately to be issued will be reduced by the amount of any State or Federal aid or any other revenue received by the City from other sources for such class of objects or purposes.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is fifteen (15) years, pursuant to subdivision ninety-one of paragraph a of Section 11.00 of the Local Finance Law, as the aforesaid class consists of items which each have a period of at least fifteen (15) years under one or more of subdivisions 1, 3, 4, 10 or 20 of said paragraph a.”

- Section B. The validity of such bonds and bond anticipation notes may be contested only if:
- (1) Such obligations are authorized for an object or purpose for which said City is not authorized to expend money, or
  - (2) The provisions of law which should be complied with at the date of publication of this ordinance are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
  - (3) Such obligations are authorized in violation of the provisions of the Constitution.

Section C. Upon this ordinance taking effect, the same shall be published in summary in the Watertown Daily Times, the official newspaper, together with a notice of the City Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section D. This resolution is effective immediately.

**Seconded by Council Member Stephen A. Jennings**

**Motion for unanimous consent moved by Council Member Teresa R. Macaluso, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

## **OLD BUSINESS**

**The Ordinance “Changing the Approved Zoning Classification of the east section of VL Bellevue Avenue South, Parcel Number 9-11-133.110, from Neighborhood Business to Commercial”.** *(Introduced on 6/20/2016; public hearing held this evening; appears in its entirety in the 2016 Minutes Book on page 16 of the 6/20/2016 minutes).*

Council Member Horbacz questioned how the zoning could be different for each of these parcels.

Michael Lumbis, Planning and Community Development Director, stated the makeup of the parcels had changed over the years. He explained the parcel that is being considered for the zone change was part of the Walgreens property at one time but it was split when Walgreens was built. He further explained the second parcel was part of the Taco Bell property but again when the miniature golf course closed, that portion of the property was subdivided. He said at some point the two rear parcels were combined but the zoning was never changed.

**At the call of the chair, a vote was taken on the foregoing ordinance and carried with all voting yea.**

**The Resolution “Accepting Change Order No. 4 for Factory Street Reconstruction Project, CCI Companies, Inc.”.** *(Introduced on 6/20/2016; tabled; appears in its entirety in the 2016 Minutes Book on page 13-14 of the 6/20/2016 minutes).*

**Motion was made by Council Member Cody J. Horbacz to take the foregoing resolution from the table. Motion was seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.**

Mentioning that this project is funded by the City as well as the State and Federal Government, Council Member Macaluso asked if the other funding would be matched due to the increase in cost to the City.

Mr. Wood replied that it is not guaranteed as a one-to-one, but he did request some additional funding which at this time, he does not have an answer. He stated the cost of the project is broken down into five shares (Storm, Sewer, Water, Street and Sidewalk), explaining some of the miscellaneous items that are not reimbursable. He clarified that within the original bid of approximately \$8.8 million for construction, approximately \$6.8 million was eligible for reimbursement and approximately \$1.9 million was not reimbursable, so if more funding is received, the minimum commitment for the City is not going to change. He explained the chart attached to the report showing the Highway and City shares for the various components of the project.

In regard to the share breakdown, Mayor Butler asked if the Highway share would shift to the City's responsibility if additional funding is not available.

Mr. Wood clarified that the Highway share would absorb some of the cost if the funding becomes available. He reiterated that he sent a letter to DOT in May to request additional funding so they are aware of the status of the project. In response to Mayor Butler's questions, he explained the Field Change Payment of approximately \$434,000 in detail, highlighting the NYS DOT contract for this

project has a built-in payment line item to cover quantity overruns or new scope of work items. He mentioned it was used to cover Change Order #1 - #3, but Change Order #4 is more than the balance so it will be put in reserve to clean things up at the end of the project. In addition, he reviewed the field changes that have been done up until this point and the reasons for each, noting there was an increase share to the Water Fund. Mr. Wood also reviewed in detail the contaminated waste soil and hazardous waste cleanup that was needed, which was higher than originally estimated. Lastly, he updated Council on the necessary closure of Mill Street Bridge for eight weeks and the work that would be done during that timeframe.

**At the call of the chair, a vote was taken on the foregoing resolution and carried with all voting yea.**

## **STAFF REPORTS**

### **Tax Sale Certificate Assignment Request**

Mayor Butler informed Council that Ed Essa is requesting to be assigned the City's tax sale certificate for 423 Main Street West.

Council Member Walczyk asked if this included all three parcels or just the parcel pictured in the report.

James Mills, City Comptroller, stated he is only interested in acquiring this property, hoping to get it at the end of the two year redemption period.

Council Member Walczyk asked what Mr. Essa's plan is for the property.

Mr. Mills indicated that Mr. Essa has a business idea but he does not want to speak for him.

Council agreed to have a resolution prepared for the next Council meeting.

### **Tax Sale Properties**

Mayor Butler explained these properties were auctioned in 2014 and the City was the default bidder so now the City can issue the tax sale deed to itself. He asked if there are any environmental concerns for any of the properties.

Mr. Mills stated he is still waiting for feedback from some Department Heads to see if there are any concerns or knowledge on any parcels that the City should be aware of. He explained that he will need to determine if the properties are occupied and work with the Police Department if they are before they go to auction in the Fall.

Council Member Walczyk asked about the status of the land bank discussions.

Mayor Butler replied that it is planned for a future work session and suggested the month of August.

### **Restore NY Grant**

Mayor Butler advised this program was introduced from the Governor's Office and read from the staff report. He highlighted that the Planning Office is recommending the Lincoln Building and Masonic Temple but only one project can be submitted along with the "Intent to Apply" form no later than July

13, 2016. He indicated the Lincoln Building is being rehabilitated by Doolittle & Hall, LLC, a partnership between Mark Purcell and Brian Murray, which has already invested \$1.3 million, and the Masonic Temple is being renovated by Fourth Coast, Inc, a partnership between Rob Campany and Augusta Withington, which has invested over \$600,000.

Geoffrey Urda, City Planner, informed Council there are representatives from both buildings that are here tonight with short presentations.

Rob Campany, Fourth Coast Inc, presented to Council the plans for the Masonic Temple (on file in the City Clerk's Office). He indicated the building was purchased in 2013 and the immediate goal was to stabilize the exterior and repair the roofing in order to obtain tenants for the first floor, in which there are currently five. Mentioning the historic value of this building, he discussed his hope to preserve the main performing hall by anchoring the building with solid tenants and stabilizing the building from the bottom up. Changing the focus to the floor plan of the basement, he said it is open space with a commercial kitchen that would be ideal for a brew pub or restaurant, which would complement the use of the upper floors. He discussed in detail the various improvements needed for the renovation of the basement, which is estimated at \$600,000. In addition, he said he hopes the Restore NY program would assist in leveraging for Historic Preservation Funds, which would be an important step for the continuation of the restoration of the building exterior.

Mayor Butler asked how much it would cost to complete the renovation of the full building.

Mr. Campany replied that the current estimate is approximately \$6 million to renovate the balance of the building for occupancy. He confirmed for Mayor Butler that they will be pursuing other funding sources but there are no active applications at this time.

Christina Schneider, Doolittle and Hall LLC, presented to Council the plans for the Lincoln Building (on file in the City Clerk's Office). She stated the building was purchased in 2012, and she reviewed the initial ideas for the building. Mentioning the expectations were downsized when they were unable to obtain large funding, she advised a complete renovation of the public square side of the building was done, which included façade work and new storefronts. She said the rear façade will be the entrance where most people park so the goal would be to renovate that façade of the building. She discussed the current tenant and mentioned the potential tenants that will not commit until further upgrades to the building are complete. She stressed that they are actively pursuing funding because projects like this are hard to do with only private sector funds. Lastly, she discussed the interior spaces that will be part of the next renovation phase.

Council Member Horbacz asked what other funding has been received.

Ms. Schneider stated they received \$200,000 from the Watertown Local Development Corporation to help fund the front façade and they received \$130,000 from a State Urban Initiatives Grant that was awarded in 2014. She said they have approached another public funding source to help match Restore NY along with private financing.

Mayor Butler asked what is planned for the upper floors.



Ms. Schneider said the current commercial tenant has a preference for an upper floor, otherwise the goal would be to make the upper floors market rate residential apartments, mentioning the views of the river.

Mayor Butler said both projects are good and he would love to see them both be done. He discussed the potential for a restaurant in the basement and a theater in the upper floors of the Masonic Temple. Regarding the Lincoln Building, he commented the storefronts would attract jobs and discussed the benefits of getting people to locate in the downtown corridor. He added that he liked the market rate housing idea as well. He said he would support the Lincoln Building for this funding because it will have a more immediate impact due to the momentum of the project and it is complimentary to some of the other businesses downtown. He commented that he cannot say anything disparaging about the Masonic Temple but feels it has more challenges.

Council Member Horbacz remarked the Masonic Temple is important for looking to enhance culture in downtown and he hopes the theater can be restored because there is nothing like it in the area. He said he feels the Lincoln Building already has a lot of financial backing behind it. Stressing these are two very different projects with different goals, he said one will have an economic impact and one will have a cultural impact which then should lead to an economic impact. He confirmed he would support the Masonic Temple for this funding.

Council Member Jennings noted these are both great projects but he would support the Masonic Temple. He said it needs this investment and he would like to see this building succeed. In regard to the Lincoln Building, he suggested the City should continue to look for assistance with this project.

Mayor Butler pointed out that J.B. Wise parking lot looks at the rear of the Lincoln Building and it is important to restore those facades because the J.B. Wise Plaza could be an economic hub of activity. He said he likes the fixing of blight aspect of the Lincoln Building project.

Council Member Walczyk asked if both of the buildings were included within the borders of the Downtown Revitalization Initiative.

Mr. Urda confirmed they both were.

Council Member Walczyk said he agrees with Mayor Butler.

Council Member Macaluso commented she would choose the Masonic Temple because this is the first time anyone has tried to do something with this building. She said she hopes the City can help find additional funding for the Lincoln Building.

## **NEW BUSINESS**

### **Pivot and the Recovery Community and Outreach Center Grant**

Council Member Jennings reported that Pivot was awarded a five year Recovery Community and Outreach Center grant for \$1.75 million. He said they were one of six awarded statewide and the center will be in the City at a downtown location. He advised this will serve as a resource for people seeking help with drug addiction for themselves or family members. He wanted to publicly commend Pivot and the Alliance for Better Communities for their tireless work to address this problem, adding that they have appreciated Council's and the Mayor's support along the way.

### **No Smoking Signs in the City's Parks**

Mayor Butler said he had a meeting with Seaway Valley Council for Alcohol and Substance Abuse Prevention and they have been promoting an Anti-Smoking Initiative. He discussed the anti-smoking policy for parks and playgrounds, citing Chapter 216 of the City Code Book. He stressed these areas should be well-labeled and indicated this organization is willing to provide signs for this purpose. He asked staff to look into this.

Regarding the designated smoking areas within City property, Council Member Jennings asked why the City does not disallow smoking in all places.

Mayor Butler advised it is prohibited in all playgrounds but the other fields have designated spots where smoking is allowed. He suggested this topic could be discussed further at another time.

### **357 Main Street West**

Mayor Butler said this property was acquired by the City last year from Wells Fargo and he wondered what the status was on it. He has received complaints and asked if Codes has looked at it.

Mr. Mills stated Codes inspected the property when it was acquired but not lately unless there was a complaint.

Mayor Butler asked for Codes to do another inspection so a decision can be made as to whether it should be auctioned or torn down.

### **10<sup>th</sup> Mountain Monument Dedication Ceremony**

Mayor Butler said this event was well-organized and attended, and he thanked everyone that contributed to this.

### **Black River Block Party**

Mayor Butler mentioned this event that was held last weekend in the J.B. Wise Plaza and the Veteran's Memorial Walkway. He mentioned this was the first time in a long time that the walkway has been used, and he envisions more events like this to be held there.

### **Clinton Street**

Mayor Butler noted there still are a few streetlights that need to be moved out of the sidewalk. He requested the City Engineer to review this with National Grid in order to complete this work.

### **Complaints from Clinton Street Homeowner**

Mayor Butler stated he received complaints from Dr. White, Clinton Street homeowner, of water collecting in front of his property after rainstorms. He wondered if this was a result of a storm water catch basin being moved when the street was reconstructed. In addition, he reported there are issues with a handicap ramp and the property owner's lawn. He asked staff to look into this in order to resolve the resident's concerns.

### **July Work Session**

Council Member Macaluso requested the work session for July 11 start at 6:00 p.m.

Council agreed.

**Motion was made by Council Member Stephen A. Jennings to move into Executive Session to discuss proposed litigation and collective bargaining.**

**Motion was seconded by Council Member Teresa R. Macaluso and carried with all voting in favor thereof.**

Council moved into Executive Session at 8:51 p.m.

Council reconvened at 9:45 p.m.

### **A D J O U R N M E N T**

**At the call of the chair, meeting was duly adjourned at 9:45 p.m. by motion of Council Member Stephen A. Jennings, seconded by Council Member Mark C. Walczyk and carried with all voting in favor thereof.**

*Ann M. Saunders*  
City Clerk